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SUBJECT: WOMEN'S RIGHTS IN MOROCCO: A MODEL FOR THE
ARAB WORLD?

REF: A. 07 RABAT 1869
[B](#). 08 CASABLANCA 0232
[C](#). 08 RABAT 1150
[D](#). 09 CASABLANCA 0166
[E](#). 09 RABAT 0604
[F](#). 08 CASABLANCA 0222

[1](#). (SBU) SUMMARY: In the last decade Morocco, under the leadership of King Mohammed VI, has implemented a wide variety of social and economic reforms with the aim of modernizing the country. One the areas where this has been the most apparent is in the advancement of women's rights. This progress is most clearly illustrated through the judicial reforms to the Family Code in 2004 and updates to the nationality and labor laws, support for women in the business world, extending roles to women in the religious and social sphere through the "mourchidat" or female imam program, and lastly by the government-mandated increase in women's representation among elected officials. Morocco's reforms to women's rights are generally ahead of the rest of the Arab world and serve as a potential model for their development. While Morocco has a strong civil society and women's movement that continues to advocate for better implementation and more comprehensive reform, well-placed U.S. government assistance could cement these gains. END SUMMARY.

Judicial Reforms: The Family Code

[2](#). (SBU) Morocco took its most significant step forward for women's rights when it revised its Family Code or "Moudawana" in 2004. The King used his secular and religious authority to break the logjam of resistance from conservative and religious elements in society and pass the reforms. Foremost, the Moudawana eliminated the legal concept of male "guardianship" over women, which treated women as legal minors unable to execute marriage contracts on their own. It removed a legal requirement for women to obey their husbands. It raised the legal age of marriage to 18 and required all underage marriages be approved by a judge with the aim of decreasing the number of "child brides" and minor girls forced into marriage. It created obstacles to polygamy by requiring a husband to obtain permission from both the first wife and to demonstrate to a judge an "exceptional" reason (such as infertility) to justify the second marriage. The Moudawana outlawed divorce by repudiation (a husband declaring divorce

to his wife three times) and required that all divorce procedures be handled by a judge. It also expanded the definitions of divorce to include a no-fault divorce that could be instigated by a woman without forfeiting a right to her dowry. In cases of divorce it granted greater rights in the separation of goods and gave women the right to remain in the conjugal home if they have guardianship of the children. Especially important for women in marginalized rural areas, it created a five-year grace period during which women could come forward and register their marriages with the government.

13. (SBU) In addition to the Family Code there were other equally important judicial reforms that have significantly impacted women. In January 2007, the Government of Morocco (GOM) reformed the 1958 Nationality Code giving Moroccan women married to non-Moroccans the right to pass nationality to their children as long as the couple is Muslim and the marriage recognized by the state (Ref A). The Labor Code, revised in 2004, included the creation of the country's first statutes outlawing sexual harassment. The GOM has also taken steps towards passing legislation to address violence against women though it has yet come to fruition (Ref B). Finally, in December 2008, in a largely symbolic but important step, the King announced Morocco's withdrawal of all of its remaining reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on the grounds that Moroccan

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legislation was now fully compliant (Ref C).

Impediments and Shortcomings

14. (SBU) While Morocco's progress is formidable, women's rights groups and non-governmental organizations (NGOs) are critical of the GOM's failure to fully implement the law and to educate women and government officials about the reforms. A 2008 report issued by the Democratic League for Women's Rights (LDDF), a NGO, found that corruption and the conservative prejudices of judges had led to numerous approvals for underage marriages and polygamy (Ref F). These groups also note that the GOM has taken insufficient steps to tackle the low levels of education among women especially in rural areas, noting that two of every five women over the age of 15 are illiterate in Morocco. They also believe that additional legal reforms are needed, including a comprehensive law outlawing violence against women and more equitable inheritance laws.

Women in Islam: The Mourchidat

15. (SBU) In February 2006, as part of a campaign to counter extremism and bolster Morocco's moderate vision of Islam, the GOM graduated its first class of 50 Mourchidat or female clerics. The Mourchidat are spiritual guides who have trained for one year, like their male colleagues, and who give guidance and religious instruction in the mosques, though they do not lead prayers (Ref A). The Mourchidat have also played an important role as social workers by expanding their field of work to include female beneficiaries in prisons, orphanages, hospitals and schools, as well as the mosques.

16. (SBU) Fatima Zohra Salhi, a Mourchidat, told NEA

Acting Deputy Assistant Secretary Madelyn Spirnak at a recent meeting in Casablanca that the demand for the Mourchidat's services was enormous. Although the Ministry of Endowments and Islamic Affairs has graduated an additional 150 Mourchidat, Fatima said that the communities were well aware of the program and repeatedly asked them for assistance. Mohammed Echouiabi, head of the Mourchidat program, also told A/DAS Spirnak that other Arab countries including Egypt, Tunis, and Jordan have requested information on the Mourchidat program and were exploring the possibility of replicating the model in their countries.

Women in Business

17. (SBU) Morocco's expansion of women's rights and encouragement of full equality before the law has positively altered the business climate for women in Morocco. The Moroccan Association of Women Entrepreneurs estimates that more than 5,000 female entrepreneurs operate in the country's formal economy and nearly 2.7 million women are part of the work force (Ref D). While obstacles do exist for women in the workforce, including lower education levels and conservative social norms, women in Morocco, especially the educated urban elite, play an important role in the country's economic life. As Salwa Akhannouch, the CEO of Zara in Morocco, recently told a newspaper, "While some social norms occasionally dampen female entrepreneurship, gender discrimination does not constitute a major obstacle for women entrepreneurs in Morocco."

18. (SBU) October 7, Consul General Millard hosted a dinner in honor of DAS Spirnak for Moroccan women leaders to discuss women's issues and the challenges that still remain. One participant, Nabila Fridji, a businesswoman, explaining how her life had been fundamentally changed by her participation in a Middle East Partnership Initiative- (MEPI-)funded program for women entrepreneurs, stressed the

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importance of MEPI continuing to foster and encourage a MENA network of alumni.

Women in Politics

19. (SBU) In the lead up to the 2009 municipal elections, King Mohammed VI took the radical step of mandating that 12 percent of all seats would be reserved for women. Prior to this most recent election, women constituted less than .34 percent of all local elected officials (Ref E). Overnight the Kingdom witnessed a twenty-five fold increase whereby women won more than 3,400 seats on local and rural councils. In addition, women won seats as the head of their parties' lists and not only on the specially created women's lists. In another encouraging sign, Fatima Zohra Mansouri, a young U.S.-educated woman, was elected Mayor of Marrakech, the second woman elected to head a major city in Morocco.

110. (SBU) While the GOM has had numerous female ministers and parliamentarians, the massive number of women recently elected to local positions will have a profound grassroots effect on the way that women participate in Moroccan political life.

Comment

¶11. (SBU) So far Morocco has successfully found a way to achieve an impressive catalog of advancement to women's rights despite the pressures of religious and conservative elements in the society. Some of the reforms, especially the Mouchidat, family code and quota revisions, could potentially be models for similar reforms in other Arab countries. The USG should consider using MEPI and other funding to create more regional networks that would encourage both civil society and government representatives of other Arab countries to learn from and perhaps emulate the example of Morocco.

MILLARD